

LFC Requester:

Eric Chenier

**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

[AgencyAnalysis.nmlegis.gov](https://www.nmlegis.gov/AgencyAnalysis) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)*(Analysis must be uploaded as a PDF)***SECTION I: GENERAL INFORMATION***{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*Date Prepared: 1/24/25

Check all that apply:

Bill Number: SB122Original  Correction Amendment  Substitute 

Agency Name

and Code

HCA-630

Number:

Sponsor: Sen. Stefanics / Hickey / FerraryShort Title: Expand Prescription DrugDonation Program

Person Writing

Keenan RyanPhone: 505.3960223Email Keenan.ryan@hca.nm.**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
\$0	\$0	N/A	N/A

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
\$0	\$0	\$0	N/A	N/A

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	\$0	\$0	\$0	\$0	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: Not known  
Duplicates/Relates to Appropriation in the General Appropriation Act: Not known

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

Synopsis: Senate Bill 122 (SB 122) expands on an existing law allowing individuals to donate unused prescription pharmaceuticals (excluding any controlled substances) to a health care provider. The provider must be properly licensed to receive and redistribute donated prescription drugs to an individual who has medical need for the donated prescription medication. SB 122 expands the ability for more practitioners and facilities to participate in medication donation. SB 122 expands to out-of-state donors being able to donate prescription drugs and protects manufacturers from liability with donated prescription drugs. Regulations for both donors and recipients of donated medication are outlined and ensure the redistribution process is consistent with public health and safety standards. Patients receiving donated prescription drugs must sign acknowledging the medication was inspected by a health care practitioner, not necessarily a pharmacist, before being redistributed to the receiving patient. SB 122 lifts the limit of \$20 a health care provider may charge for accepting, inspecting, and distributing the donated prescription medication to “reasonable cost of participating in the collection of donated prescription drugs”.

#### **FISCAL IMPLICATIONS**

None for the Health Care Authority (HCA).

#### **SIGNIFICANT ISSUES**

None for the HCA.

#### **PERFORMANCE IMPLICATIONS**

None for the HCA.

#### **ADMINISTRATIVE IMPLICATIONS**

None for the HCA.

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None known.

#### **TECHNICAL ISSUES**

None for the HCA.

#### **OTHER SUBSTANTIVE ISSUES**

None for the HCA.

#### **ALTERNATIVES**

None suggested.

#### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo

#### **AMENDMENTS**

None